

REMARKS

The Examiner has rejected the application on various bases. In response thereto, Applicant has amended the application so as to overcome the rejections of the Examiner. Accordingly, Applicant submits that the application should be deemed allowable at the present time.

Without addressing the veracity of the Examiner's election requirement, Applicant herein elects claims 1-4 directed to the treatment for dental unit water systems. Applicant's election is made without traverse solely to expedite the prosecution of the present application, and to expedite substantive examination of the application. Applicant expressly reserves the right to file continuation applications with the non-elected claims

The Examiner has objected to the abstract based on the contention that it includes legal language, such as "comprises" and "comprising." In response thereto, Applicant has amended the abstract so as to address the Examiner's concerns.

The Examiner has objected to claims 1 and 4 based on the contention that the term "silver" has been misspelled. Additionally, the Examiner has objected to claim 4. In response thereto, Applicant has amended the claims so as to correctly spell "silver" in claim 1 and so as to cancel claim 4.

The Examiner has rejected claims 1-4 under 35 U.S.C. §112, second paragraph. In particular, the Examiner has inquired as to the concentrations relative to claim 1. Applicant has amended claim 1 so as to render the rejection moot. Relative to claim 3, Applicant has amended the claim so as to remove the term "trace," despite Applicant's belief that the term is not indefinite. Accordingly, the rejections under 35 U.S.C. §112 have been overcome.

The Examiner has rejected claim 1 under 35 U.S.C. §103 as being unpatentable over U.S.

Pat. No. 6,277,414 issued to Elhaik et al. (the '414 patent) in view of U.S. Pat. No. 3,350,265 issued to Brookline (the '265 patent). The Examiner has rejected claim 2 under 35 U.S.C. §103 based on the contention that the claim is unpatentable over the '414 patent in view of '265 patent in further view of U.S. Pat. No. 6,423,219 issued to Chandler (the '219 patent). The Examiner has rejected claim 3 under 35 U.S.C. §103 based on the contention that it is unpatentable over the '414 patent in view of the '265 patent in further view of U.S. Pat. No. 6,197,814 issued to Arata (the '814 patent). The Examiner has rejected claim 4 under 35 U.S.C. §103 based on the contention that it is unpatentable over the '414 patent in view of the '265 patent in further view of U.S. Pat. No. 5,526,841 issued to Detsch et al (the '841 patent). Applicant respectfully traverses the Examiner's rejections.

As discussed with the Examiner during the telephone interview conducted in late August 2004, Applicant has amended the claims so as to identify that the treatment is "composed essentially of" several components. Indeed, and as agreed by the Examiner, none of the references disclose or suggest the use of a shock and maintenance treatments which are composed essentially of the components identified in claim 1. Accordingly, claim 1 should be deemed to overcome the rejections based upon the prior art.

With respect to the newly added independent claim, namely claim 14, Applicant submits that this claim comprises a claim similar to that of claim 1, except that a unit conversion has been done relative to the respective quantities of the different constituents. Moreover, the ranges of the constituents has been narrowed. Further dependent claims serve to further specify the constituent element concentrations.

Applicant submits that each of the pending claims 1-3, and 12-18 should be deemed allowable over the prior art of record. Accordingly, reconsideration of the application is

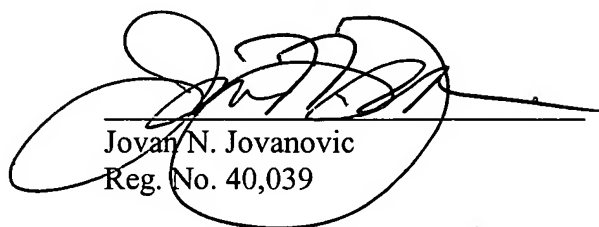
respectfully solicited.

Should the Examiner have any questions regarding the foregoing, a telephone call to the undersigned at (616) 355-0400 is respectfully solicited.

Respectfully submitted,

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